

# State of South Dakota

SEVENTY-NINTH SESSION  
LEGISLATIVE ASSEMBLY, 2004

814J0551

## HOUSE BILL NO. 1186

Introduced by: Representatives Konold and Solum and Senator Schoenbeck

1 FOR AN ACT ENTITLED, An Act to allow first responder decals to be placed on specialty  
2 license plates.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That chapter 32-5 be amended by adding thereto a NEW SECTION to read as  
5 follows:

6 Any owner of a motor vehicle, who is a resident of this state, who has a valid South Dakota  
7 diver's license or South Dakota identification number as assigned by the Department of Public  
8 Safety, may upon request receive a set of specialty license plates that allow for the placement  
9 of a first responder decal on the plates. The specialty plates are in lieu of regular license plates  
10 issued by the county treasurer and may only be used on noncommercial vehicles that are  
11 licensed according to §§ 32-5-6 and 32-5-6.3. If the specialty plates are requested at the time of  
12 initial application for title and registration of the vehicle, no fees may be charged for the plates  
13 in addition to the costs involved in registering the vehicle. If the specialty plates are requested  
14 after the time of initial application or if the vehicle has current South Dakota plates, the owner  
15 shall surrender the current plates and pay a ten-dollar fee for the specialty plates. This fee is in  
16 addition to any applicable costs involved in the registration of the vehicle.



Section 2. That chapter 32-5 be amended by adding thereto a NEW SECTION to read as follows:

Any first responder organization seeking to qualify for a first responder decal shall apply to the Department of Public Safety. The department shall approve the application of any first responder organization that meets the following requirements:

- (1) The primary activity or interest of the first responder organization serves the community, contributes to the welfare of others, and is not offensive or discriminatory in its purpose, nature, activity, or name;
- (2) The name and purpose of the first responder organization does not promote any specific product or brand name that is provided for sale; and
- (3) The decal of the first responder organization does not promote a specific religion, faith, or anti-religious belief.

Section 3. That chapter 32-5 be amended by adding thereto a NEW SECTION to read as follows:

If the department approves an application for first responder decals and the design of the decal, the department shall furnish the decals to the organization. The first responder organization shall purchase no fewer than one hundred sets of the decals. The organization shall reimburse the department for the cost of the decals, plus a fifteen percent administrative fee. The first responder organization shall establish criteria for an applicant to qualify for the decals and the fee to be charged for the decals. The first responder organization is responsible for the administration and issuance of the decals. No decal other than those authorized and issued by the department are permitted on license plates. Misuse of the decals or use of unauthorized decals is a Class 2 misdemeanor.

Section 4. That § 32-5-140 be amended to read as follows:

1        32-5-140. Upon the sale or transfer of a vehicle bearing specialty license plates that display  
2        an organization decal or first responder decal, the plates shall remain with the owner and upon  
3        approval by the department may be transferred to another vehicle. Anyone receiving  
4        organization or first responder license plates may at the time of obtaining the specialty plates  
5        purchase from the county treasurer a temporary permit. The owner of the specialty plate shall  
6        purchase a permit before the sale of the vehicle to an individual. The permit is valid for fifteen  
7        days and costs fifteen dollars. The permit shall be vehicle specific and shall be affixed to the  
8        vehicle by the seller at the time of sale or transfer of the vehicle. The new owner of the vehicle  
9        may use the permit in the interim of registering the vehicle. The permit may not be used for any  
10       other purpose than stated. Misuse of or failure to purchase the temporary permit before the sale  
11       of the vehicle is a Class 2 misdemeanor.